

# Morgan Lewis

**Jeremy P. Blumenfeld**

Partner  
+1.215.963.5000  
jeremy.blumenfeld@morganlewis.com

August 10, 2023

**VIA ECF**

The Honorable Michael E. Farbiarz  
United States District Court

District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

Re: *Ritorto et al v. KPMG, LLP et al*, No. 2:21-cv-19330 – Joint Letter Regarding Motion to Dismiss and Motion for Class Certification

Dear Judge Farbiarz:

Pursuant to the Court's August 7, 2023 Order (Dkt. 87), Plaintiffs Hilton Hee Chong, Paul J. Burroughs, and Richard O'Driscoll (collectively, "Plaintiffs") and Defendants KPMG LLP, the Board of Directors of KPMG LLP, and the KPMG Pension Strategy and Investment Committee (collectively, "Defendants") write jointly to inform the Court of how they wish to proceed regarding Defendants' Motion to Dismiss the Amended Complaint (Dkt. 64) and Plaintiffs' Motion for Class Certification (Dkt. 82).

The Parties jointly request that the Court hold in abeyance Defendants' Motion to Dismiss and Plaintiffs' Motion for Class Certification, pending the Court's determination of whether some or all of Plaintiffs have Article III standing to bring the claims alleged in the Amended Complaint.

Additionally, as ordered, Plaintiffs will explain in detail how standing is established by September 11, 2023, in a brief of no more than 20 pages. Defendants will submit a letter to the Court by September 13, 2023, advising the Court how they wish to proceed in response to Plaintiffs' brief. In light of the Court's Order, Defendants also respectfully request that the Court hold in abeyance their deadline for responding to Plaintiffs' motion for class certification, and that Defendants be afforded the opportunity to submit one brief that addresses Plaintiffs' Motion for Class Certification and the standing brief ordered by the Court.

Respectfully submitted,



/s/ Jeremy P. Blumenfeld

Jeremy P. Blumenfeld

Cc: All Counsel of Record via CM/ECF

**Morgan, Lewis & Bockius LLP**

1701 Market Street  
Philadelphia, Pennsylvania 19103-2921  
United States

 +1.215.963.5000  
 +1.215.963.5001